

1 BILL NO. S-82-01-13

2 SPECIAL ORDINANCE NO. S-11-82

3 AN ORDINANCE approving a contract between  
4 the City of Fort Wayne and GTE Data  
5 Services, Inc., for fire protection  
6 to premises outside the City.

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
8 WAYNE, INDIANA:


9 SECTION 1. That the contract, dated January 1, 1982, be-  
10 tween the City of Fort Wayne, by and through its Mayor and  
11 Board of Public Safety, and GTE Data Services, Inc., and the  
12 furnishing of fire protection by the Fort Wayne Fire Department  
13 to premises of GTE Data Services, Inc., outside the city limits,  
14 described as follows, to wit:

15 Lots Number 1 and 2 in Oakbrook Office  
16 Park, a tract of real estate located  
17 in the northeast quarter of the south-  
18 east quarter of Section 14, Township  
31 North, Range 12 East, Allen County,  
Indiana at the southwest corner of  
U.S. Highway 27 and Ludwig Road, near  
but outside the corporate limits of  
the City of Fort Wayne, Indiana,


19 at a costs to GTE Data Services, Inc., of \$4,002.05, all as more  
20 particularly set forth in said contract, attached hereto, and  
21 as a part hereof and which is on file in the Office of the Board  
22 of Public Safety, is hereby in all things ratified, confirmed  
23 and approved.

24 SECTION 2. The proceeds of such contract received by the  
25 City shall be deposited in the City "Fire Fighting Fund".

26 SECTION 3. This Ordinance shall be effective upon its  
27 passage and approval by the Mayor.

28  
29   
30 COUNCILMAN

31 APPROVED AS TO FORM AND  
32 LEGALITY JANUARY 22, 1982

  
BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by G. Quinta, seconded by G. Quinta, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 1-26-82, the 1 day of February, 1982, at 7 o'clock P.M., E.S.T.

DATE: 1-26-82

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by G. Quinta, seconded by Stier, and duly adopted, placed on its passage. PASSED (lost) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>18</u>	<u>2</u>		<u>1</u>	
BRADBURY	<u>X</u>				
BURNS	<u>X</u>				
EISBART	<u>X</u>				
GiaQUINTA	<u>X</u>				
NUCKOLS				<u>X</u>	
SCHMIDT	<u>X</u>	<u>X</u>			
SCHOMBURG	<u>X</u>	<u>X</u>			
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 2-9-82

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. 11-82 on the 9th day of February, 1982.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of February, 1982, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 10th day of February 1982, at the hour of 2 o'clock P.M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR. - MAYOR

BILL NO. S-82-01-13

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON Finance TO WHOM WAS REFERRED AN  
ORDINANCE approving a contract between the City of Fort Wayne  
and GTE Data Services, Inc., for fire protection  
to premises outside the City

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK E. GIAQUINTA - CHAIRMAN

PAUL M. BURNS - VICE CHAIRMAN

JAMES S. STIER

JOHN NUCKOLS

DONALD J. SCHMIDT

CONCURRED IN

DATE 2-9-82 CLERK OF THE COMMON COUNCIL CITY CLERK

## FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 1st day of January, 1982, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor, Common Council, Board of Public Safety, ("CITY") and GTE DATA SERVICES INCORPORATED, a Delaware Corporation having its principal place of business in Tampa, Florida ("GTEDS").

WHEREAS, GTEDS is the owner of certain improvements upon real estate near but outside the corporate limits of CITY, described as follows:

Lots Number 1 and 2 in Oakbrook Office Park, a tract of real estate located in the northeast quarter of the southeast quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana, at the southwest corner of U.S. Highway 27 and Ludwig Road, near but outside the corporate limits of the City of Fort Wayne, Indiana.

The said buildings and improvement, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon assessed real estate valuation of \$386,100 and personal property valuation of \$1,214,720 issued by the Washington Township Assessor's Office. The total assessed valuation being \$1,600,820.

and, WHEREAS, GTEDS desires to be assured that fire protection by CITY is available at the premises above described:

NOW, THEREFORE, the parties agree as follows:

1. From January 1, 1982 until December 31, 1982, upon the CITY'S Fire Department being notified that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.
2. For fire fighting services provided for herein, GTEDS shall pay to CITY at the rate of one quarter of 1% (.0025) on the first \$2.5 million dollars of assessed valuation for tax purposes on the hereinabove identified as the premises. The hereinabove identified having an assessed total valuation of \$1,600,820, the sum owing under this contract is \$4,002.05. Said sum shall be payable in full upon execution of this contract.

3. GTEDS shall install in its premises and connect with CITY'S fire signal equipment such fire signal facilities and equipment as GTEDS and CITY'S Fire Department agree are advisable to enable GTEDS to directly signal said Fire Department of a fire on GTEDS premises. GTEDS shall routinely maintain and service such signal equipment.

4. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect GTEDS buildings, equipment and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and GTEDS operations on the premises so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) make recommendations relative to fire prevention. GTEDS shall supply to the CITY'S Fire Department land, street and building plans and the layout of each building.

5. GTEDS shall furnish such water and hydrants as are reasonably necessary to meet expected fire fighting needs.

6. The CITY and the CITY'S Fire Department shall not assume any liability for the safety, wellbeing or destruction of any structures, buildings or the contents herein nor for individuals involved herein in the execution of the contract.

7. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and members of the Common Council, Board of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

GTE DATA SERVICES, INCORPORATED

By: B. W. Elroy  
Vice-President and Controller  
- John

ATTEST:

[Signature]  
Vice President

CITY OF FORT WAYNE, INDIANA

By:

  
Win C. Moses, Jr., Mayor

BOARD OF PUBLIC SAFETY:

By:

  
Nick Palermo, Chairman

By:

  
Helen P. Brown, Member

By:

  
William H. White, Member

I hereby certify that the foregoing contract was ratified  
and approved by the Common Council of the City of Fort Wayne,  
Indiana on 2-9 1982.

  
Charles W. Westerman, Clerk

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

*A-82-01-13*

TITLE OF ORDINANCE \_\_\_\_\_ Outside the City Limits Fire Contract

DEPARTMENT REQUESTING ORDINANCE \_\_\_\_\_ Board of Public Safety

SYNOPSIS OF ORDINANCE \_\_\_\_\_ This would allow the City of Fort Wayne to provide fire  
protection for GTE Data Services, Inc. They, in turn, will pay the City  
\$4,002.05, which is used to purchase fire equipment.

EFFECT OF PASSAGE \_\_\_\_\_ The Fort Wayne Fire Department will receive \$4,002.05.

EFFECT OF NON-PASSAGE \_\_\_\_\_ The Fire Department will lose \$4,002.05.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_ none

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

DATE SUBMITTED: \_\_\_\_\_